The A. F. of L. Weekly News Service gives news accounts and editorial interpretations of matters affecting labor occurring in the industrial, legislative, and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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FACING the FACTS

With PHILIP PEARL

There are times when the labor movement seems to stop moving and stand still. There are times when the labor movement seems to be moving in the wrong direction—backward. Such times, the pessimists would have us believe, are now upon us.

Well, we don't believe them for a minute and we will show you why.

During the past two years, organized labor has been subjected to a terrific barrage of criticism. Vicious attacks have been directed against trade unions from many directions. The principles, the purposes and the very integrity of the labor movement and its leaders have been dragged in the mud.

Now if these bombardments were true and effective the natural result would be that the workers of our country would lose confidence in their trade unions and desert en masse. How that happened? Of course not. On the contrary, union membership has increased by leaps and bounds and is now at the highest point in history.

Is that standing still? Is that going backward? Nothing of the sort! It is progress of the most impressive kind. For the lessons of trade union-ism teach us that progress can be attained only through organization and therefore is axiomatic that the wider organization grows the greater the benefits to American workers.

The Workers' Voice

Now, if our opponents try to argue that the swift growth of union membership is accidental or no true reflection of the workers' confidence in the labor movement, we have more direct proof. That is the word of the workers themselves. During the past two years the National Labor Relations Board has held innumerable collective bargaining elections. In each of these elections the workers were given a choice between voting for a union or against a union. They voted by secret ballot. There was not and there could not be any intimidation. One by one they went into the voting booths to decide whether their best interests would be served by voting for a union to represent them or remaining unorganized. The decision of these workers is now incorporated in the records of the National Labor Relations Board and in trade union membership rolls. Here are a few of these elections won by union:

Is that progress? We think so.

Well, here's a bit more. What concrete benefits have the workers derived from their union affiliation? Statistics compiled by the American Federation of Labor show that its affiliated unions have won wage increases at the rate of a million dollars a week for American workers this year. Thus the workers have been protected against increased living costs and have managed to improve their economic conditions. Is that standing still? Is that going backward? We ask to be pardoned for reiterating that we think it's progress.

Vinson Bill Sidetracked

On the legislative front, labor has been subjected to the heaviest attacks of this generation during the past few months. Some of our pessimistic friends have wilted under the fire. But what have been the results? Every serious threat to the trade union movement and free, democratic labor has been successfully thwarted and thoroughly defeated. Even the Vinson Bill, upon which the enemies of labor concentrated their energies, has now been sidetracked. Not a single one of the legislative gains won by labor in the past ten years has been lost, despite a national emergency. Is that going backward?

The defense program offered perhaps the most serious test organized labor has faced this century. Minor strikes broke out in all directions and all of labor was condemned, its loyalty assailed and its freedoms threatened. But what have been the results? The American Federation of Labor adopted a strict no-strike policy for the duration of the emergency. It lived up to the letter of more than 99 per cent by its affiliates. The Army and Navy construction programs, no vast in scope as to defy the imagination, were completed by A. F. of L. workers on schedule or ahead of schedule. Strikes of Communist origin by CIO unions were quickly exposed and squelched. Today there are fewer strikes in the nation than ever before. All over the country millions of workers are performing their jobs with a devotion, skill and patriotism that merits the warmest praise. Isn't that progress?

But, of course, it is difficult, if not impossible, to convince the pessimist of labor see these things and acknowledge the progress of the labor movement. They want to stop it. They want to push it backward. So they try to create the impression that the forward trend has stopped and that it has gone into reverse. The facts are the best answer to the propaganda of those who hate and fear labor's progress.

Fight Communists In Labor Ranks, Green Urges In July Federationist

Washington, D. C.—President William Green of the American Federation of Labor called for an unremitting war against Communists in labor ranks in an editorial in the July issue of the American Federationist.

Labor must fight the Communists as deadly enemies to democracy no matter what foreign policy the Administration may follow as a military expedient with regard to Hitler's war on Stalin, Mr. Green said.

He placed direct blame for impediments to the national defense program to the Communists in this country and added:

"Lax administration of the immigration laws and failure to deport known Communists have contributed to present conditions. Striking at the defense production, continuing in defiance of all attempts to negotiate agreements and to mediate differences, have increased the menace to the cause of democracy and human freedom.

"Meanwhile, the head of the Communist movement, which has given Communists their opportunity and which offers sanctuary to all rebels from American discipline, defies all discipline, is raising funds to defeat deportation of Harry Bridges, the alien who has been disrupting unions on the West Coast.

"The representative of that dual movement who is chiefly responsible for the strike in the North American Company takes time out to testify on behalf of Bridges and to deny that the men he suspended are Communists or Communist dupes.

"Such gibbing to establish a technical difference between Communist party members, those who follow the Communist party line and fellow-travelers is of no practical importance when all are seeking to disrupt American life and to make way for a totalitarian order.

"Against the Communist-line invasion of our unions, American labor has its first call to war. Here is a fifth column danger that threatens our very life. The final consequences are obvious in the use of the Army at North American plant. It was the value our inherent fight to strike and the liberty which is born under a democracy, let us fight the enemy in our midst.

"An American attack against the enemy boring within our unions should follow these lines:

"(1) No Communist should be permitted to act as an officer of any union affiliated with the American Federation of Labor.

"(2) No delegate from a Communist-officered union or any person advocating Communism should be accepted by a central body or State Federation of Labor.

"(3) Every union member should realize his personal responsibility for doing his part in building that union American and that duty consists in these essential acts: (a) attending union meetings, (b) following and understanding what is done, (c) getting full reports from all persons to whom union work is delegated, (d) challenging any proposal or any policy that does not conform to democratic principles and constructive methods.

"(4) Mass meetings should be held and representatives should appear at appropriate community meetings to keep the public informed. The objective is to render constructive service in this national emergency. Preservation of democracy is peculiarly labor's cause."

Roosevelt Asks 300 Millions More For New Defense Homes Program

Washington, D. C.—President Roosevelt asked Congress to authorize a $300,000,000 defense housing program which would double the present one.

In a special message to Congress, Mr. Roosevelt said legislation should be rushed so speedily to provide "an increase from $300,000,000 to $600,000,000 in the amount of contract authority contained in the act of October 14, 1940."

Even this, Mr. Roosevelt said, may be inadequate and that "it will be virtually all of the funds appropriated under the original $300,000,000 authorization" have been allocated.

"Data have been presented to me which indicate the possibility that additional funds should be provided to undertake the construction of at least 135,000 additional defense homes between now and July 1, 1942," he said. "It is thought best, however, to limit the additional program to $300,000,000 at this time, which will permit the construction of approximately 75,000 homes to fill the most urgent present needs.

"The importance of adequate housing in the defense program should be self-evident.' Without housing for workers industries producing ships, planes, tanks and other defense materials cannot function to full capacity."

Lewis Is Protector of Reds In CIO, Lynch Tells Tamiment Conference

CAMP TAMIMENT, Pa.—Characterizing John L. Lewis, president of the United Mine Workers, as still the controlling power in the C. I. O., George G. Lynch, president of the Pattern Makers League of North America, and a labor member of the National Defense Mediation Board, charged here that Mr. Lewis was "the ally of Reds" and that Communists occupying dominant positions in C. I. O. unions and that if it were not for Mr. Lewis it would be an easy matter to rid these unions of subversive elements.

Mr. Lynch, who is also a member of the labor advisory committee of the Office of Production Management, spoke before an audience of labor men and liberals at the conference of the Tamiment Economic and Social Institute.

He called for uncompromising war on the Communists in this country, saying that organized labor should not permit itself to be diverted from this struggle by the fact that Nazi Germany and Soviet Russia were now at war.

David J. Saposs, former chief economist for the National Labor Relations board, declared that "while it is important that we aid Soviet Russia as against Hitler, for many, nevertheless, we must continue our vigilance against Communist infiltration at home."

Mr. Saposs warned that unless organized labor itself "cleaned its house of Communist and other totalitarian elements the government would have to step in and act."

Benjamin Stolberg, labor publicist and author, supported Mr. Saposs's position, saying that, inasmuch as Communists in Russia did not permit influence which they regard as subversive of their views, the members of the Soviet labor unions "we in America should apply the principle to those Communists, Communists and other totalitarians in our labor movement."

Maintaining that "99 per cent of the rank and file of American labor is staunchly patriotic" and "is prepared to go all-out to support the defense it needs," Mr. Lynch said that "it is probably unfortunate, therefore, that the whole of labor should receive a black eye in some quarters because of the disruptive and subversive activities of a Communist minority which has wormed its way into the leadership of some unions."

"It is today a matter of grave concern to the nation," Mr. Lynch added, referring to Mr. Lewis, "that one important labor leader, whose union exercises a controlling hand itself to use Communists from membership, is himself the ally and protector of subversive elements in key positions in C. I. O. unions. Without his support they could never have entrenched themselves in strategic posts from which they can strike at national defense under false colors and create ultimate unionism. Without his financial and moral assistance they would be quickly put in their place.

"I believe that the labor movement will eventually rid itself of its Communist and other subversive elements. And when the Communists and the fascists are purged those who have attempted to shield them may find that the members make no distinction as to guilt."

Circuit Court Upholds AFL Unions Against CIO Raid

By JOSEPH A. PADWAY
Counsel, American Federation of Labor

The recent unanimous decision of the United States Circuit Court of Appeals in the District of Columbia reversing the decision and order of the Board in the long disputed Electric Vacuum Cleaner controversy, has represented a complete victory for the Metal Trades Department of the American Federation of Labor.

The organizations involved in the case are the International Molders' and Foundry Workers' Union of North America, Local 431; Pattern Makers' Association of Cleveland and Vicinity; International Association of Machinists, District No. 54; Metal Polishers' International Union, Local No. 2; and Federal Labor Union No. 18907. The contracts of these organizations with the company were upheld, and their right to protect their contracts from CIO interference affirmed.

The facts in the case were: The American Federation of Labor organizations had entered into mutually advantageous contractual relationships with the Electric Vacuum Cleaner Company during 1935 and 1936. Under the contracts all new employes hired by the company were obliged to become members of the union, and the employes who were members of the union at the time the contracts were entered into were obliged to remain members of the union. When the 1936 contract was entered into, only but 38 of the 309 employes were members of the American Federation of Labor. Yet, in addition, all of these employes had each individually executed powers of attorney authorizing the various American Federation of Labor organizations to act as collective bargaining representatives for a period of one year, subject to thirty days' notice of a desire to withdraw such authority.

In March of 1937, three months prior to the expiration of the June, 1936, contract, the CIO United Electrical Workers attempted to interject themselves into the plant and, pursuant to its usual policies of disruption, staged a sit-down strike at a time when but 12 of the employes had signed up with that organization. The American Federation of Labor, in an attempt to preserve its collective bargaining contract, requested the employer to live up to that the terms of the contract respecting membership in the A. F. of L. unions were lived up to. The employer, in all peaceful means to shut down the plant for a brief period in order to restore order. It requested and obtained a complete closed-shop contract. Upon opening the plant those employes who did not desire to live up to the terms of the contract and to their previous commitments—some 24 in all—were discharged by the company upon request of the A. F. of L. unions.

The CIO thereupon filed charges with the Labor Board, alleging that the company had illegally assisted the American Federation of Labor and had wrongfully and discriminatorily discharged the foregoing 24 persons, thereby violating Section 8 (1) and 8(3) of the National Labor Relations Act.

Following a hearing, the board, in a decision issued in July, 1938, sustained the charges of the CIO in full. This decision was so obviously weak that the board petitioned to withdraw a petition for review filed by the employer and the A. F. of L. unions filed in the United States Circuit Court to review and set aside the decision of the board.

In December of 1939, the board issued a second decision and order, again upholding the charges of the CIO in full. In this second and more elaborate decision the board completely disregarded the contractual relationships of the American Federation of Labor organizations with the company. It supported the attempted raid of the CIO upon the unions in the plant during the existence of the virtual closed-shop contract, and during the terms of the individual commitments. These raiding tactic of the CIO were not only condoned by the board in its decision, but the board expressly condemned the reasonable efforts of the American Federation of Labor organizations to protect their contracts and their members. The board ordered the employer to disregard the closed-shop provisions of the contracts and to reinstate, with back pay, the 24 discharged employes.

The employer refused to abide by this order and the board petitioned for enforcement in the Sixth Circuit. The American Federation of Labor intervened and became a party to the appeal.

It was the contention of the American Federation of Labor organizations before the court that they had a right to seek by all peaceful means to protect their contracts, both in view of the virtual closed-shop provisions of the contracts and in view of the individual commitments freely signed by all but 12 of the 309 employes authorizing the American Federation of Labor to represent them. It was argued that the CIO's collective bargaining contracts of the nature involved in the case should be set aside to insure stability in industrial relationships for the period of the contracts, which was little sense in entering into them.

As against the position of the CIO that at any time contractual relationships could be disrupted because the National Labor Relations Act guaranteed freedom of choice, it was argued by the American Federation of Labor that in such case the ultimate purpose of the act—to achieve industrial peace through the making of fair and effective collective bargaining contracts—would not only be disregarded but would in fact be frustrated. Freedom of choice in representatives does not involve freedom to change the representatives once they have been made upon the basis of such choice.

The Sixth Circuit, in a unanimous decision, upheld in full the contentions of the American Federation of Labor. The following excerpt from the opinion are particularly illuminating:

"The legal conclusion made by the board that the contract made by the A. F. of L. after the 1935 and 1936 contracts had been executed, serve to abandon such membership at will, when considered in the light of the authorizations signed by the men and the total failure to file withdrawals in accordance therewith, is plainly erroneous."

* * * *

"It was an implied term of the contract that every member of the organization would cooperate in the performance of the contract between respondent and the A. F. of L. affiliates which he had expressly authorized to represent him in such matters, and would not take action looking toward the violation of the contract."

* * * *

"If the men agree to operate under the contract for a certain period they are legally bound, in absence of fraud, duress or improper, not to abrogate the contract except in accordance with its terms. If the one-year term fixed, regardless of the employes at will to discard membership in one union for membership in another, the contract is of little legal worth and it validates them in order that the employer may protect itself from ruinous inter-union controversies."

The Metal Trades Department of the American Federation of Labor has indeed cause to rejoice, not in its decision. Not only has it put judicial restraint on the hitherto unfettered and disruptive raiding tactics of the CIO, but it has also upheld the right of the American Federation of Labor and its affiliates to resort to all peaceful means in order to protect their valid collective bargaining contracts.

News Briefs

CASHEN RE-ELECTED BY SWITCHMEN'S UNION

Buffalo, N. Y. — The Switchmen's Union of North America closed its international convention here after electing officers for the next four years and adopting a militant resolution denouncing reactionary attempts to crush labor behind the cloak of defense.

President Thomas C. Cashen, who was unanimously re-elected, hailed the convention as "one of the most successful we have ever held."

"It was remarkable in more ways than one," he said. "It was the most peaceful and harmonious I ever attended. As a result, we did a greater amount of constructive work in a shorter time than ever before—in fact, we packed in 10 days of business in half that time."

INSURANCE AGENTS WIN INCREASED PAY

Philadelphia, Pa.—The Philadelphia-United Life Insurance Company of Philadelphia signed a contract with the American Federation of Labor, granting insurance agents substantial increases in pay, improved working conditions and a closed shop. Each of the sixty-one agents involved will average a $9.50 weekly increase in his basic salary.

The signing of this contract ended a week's strike and makes a total of 1,000 insurance agents in the city of Philadelphia operating under closed shop agreements with the American Federation of Labor.

POCKETBOOK WORKERS SIGN RHODE ISLAND FIRM

New York, N. Y.—Samuel Reinlib, President of the International Ladies' Handbag, Pocketbook and Novelty Workers' Union, announced that the organization of the pocketbook frame manufacturing company of Blacher Brothers, Providence, Rhode Island.

Mr. Reinlib said the firm, employing about 100 persons, signed a closed shop contract with the union, after the Union had succeeded in signing up a majority of the anti-union hotel employers."

Among the new provisions of the extended contract is a general $2 to $4 a week wage raise for the workers, half the raise to be paid immediately upon signing of the agreement, the other half beginning next year when the current contract would have expired.

D. C. DAIRY WORKERS WIN PAY INCREASES

Washington, D. C. — The Milk and Dairy Employes' Local 246, A. F. of L. succeeded, after conducting several months of negotiations with Washington area dairies and signed a contract granting pay raises and shorter hours.

The new agreement provides for a pay increase of from $2.50 to $4 per week for all members of the union with a reduction in the work week of two hours for wholesale and retail drivers and three hours for helpers and checkers.

The contract also guarantees a closed shop, seniority and general improvement in working conditions.

REDS AND NAZIS BLAMED FOR DEFENSE STRIKES

NEW BRUNSWICK, N. J.—Referring to recent strikes without mentioning any by name, Frank Kingdom, chairman of the Emergency Rescue Committee and former president of the University of Jersey, told the eleventh annual Labor Institute at Rutgers University that Communists aided by Nazis in the field of labor."

However, he called anti-strike legislation "sheer Hitlerism" and advocated instead the setting up of mediation boards to work continuously in each industry.

Dr. Kingdom spoke at the morning session of a four-day conference under the auspices of the State Federation of Labor, the Workers' Education Bureau of America and the Extension Division of Rutgers.

Matthew Woll, vice president of the American Federation of Labor, denounced "Communists, Fascists, Bundists and Nazis" and urged the government to "outlaw the Communists." He recommended that the C.I.O. purge ranks of subversive elements immediately.

Labor Rallies Against May Bill As Vinson Measure Is Sidetracked

N. Y. HOTEL PACT INCREASES WAGES

Two Million Dollar Pay Boost Won By 20,000 Workers

New York, N. Y.—The New York Hotel Trades Council, A. F. of L., and the Hotel Association of New York City signed an extension of the current union hotel contract with new provisions which will add about $2,000,000 annually to the pay of about 20,000 hotel workers in 88 hotels covered by the agreement.

John J. Bennett, Jr., Attorney General of the state of New York, Newbold Morris, President of the City Council, Borough President Sidney M. Isaacs of Manhattan, officials of the Hotel Association and members of the Hotel Trades Council, as well as a number of other prominent officials and labor leaders who attended the signing ceremonies, agreed in hailing the extension of the hotel industry contract as another milestone in the establishment of fair employer-employee relations.

The signing took place in the office of Fred F. Mulhenny, Industrial Chairman of the hotel industry, at East 57th Street.

Jay Rubin, President of the Hotel Trades Council, said:

"We are against strikes and lockouts where the contract is enforced but there are certain anti-labor hotel owners who have refused to submit to the mediation process provided for in the contract to settle grievances.

"The agreement takes care of the majority of the workers and employers in the industry who are satisfied to arrive at an agreement at round table conference. But when open shop hotel employers persist in rejecting arbitration, strikes can take place in their hotels not covered by the contract and the responsibility for this will be squarely on the shoulders of the anti-union hotel employers."

Among the provisions of the extended contract is a general $2 to $4 a week wage raise for the workers, half the raise to be paid immediately upon signing of the agreement, the other half beginning next year when the current contract would have expired.

Green Warns of Threat to Democracy in New Proposal Before Congress

Washington, D. C.—Defeated on all fronts by an aroused public opinion, enemies of labor in Congress attempted a flanking movement which immediately was subjected to attack by the American Federation of Labor.

Forced to sidetrack the vicious Vinson Bill and unable to push ahead other anti-labor measures, reactionary strategists hit upon the expedient of incorporating their proposals in amendments to the Selective Service Act, now pending in the House.

President William Green promptly denounced these amendments in a letter to all members of the House. He charged that the new bill, known as the May amendments, threatened to end democracy in America.

Enactment of this bill, Mr. Green declared, would mean that the nation is embarking "upon a course leading directly toward those forms of government which all right thinking democratic persons condemn with all the vigor at their command."

Mr. Green urged the defeat of this legislation in the interests not only of labor, but of all the people of the United States.

The May Amendments were reported to the House by the House Military Affairs Committee and are, in effect, a substitute for the Connally Amendments to the Selective Service Act contained in S. 1024. The Connally Amendments are also considered highly objectionable by the A. F. of L.

In his letter, Mr. Green pointed out that the original purpose of this legislation was to increase the draft age limit from thirty-five to twenty-eight years. To this, he said, the A. F. of L. interposes no objections.

But over and above this commendable action, Mr. Green pointed out, the new bill gives the President blanket powers to take over and operate any industry engaged in the production of armed troops and thus enforce compulsory labor.

Any pickets who tried to keep strikebreakers out of a struck plant could be imprisoned for five years and fined $5,000.

Furthermore payment of wages would be denied to any person "who is separated from or refused employment" because of Government seizure of plants. Under this section, Mr. Green said, some of the most important benefits of the National Labor Relations Act are swept aside once production is ordered resumed at a struck plant.

Even peaceful picketing might be banned under the sweeping provisions of the bill, Mr. Green said.

Summing up his objections to the proposed legislation, Mr. Green declared:

"Accordingly, the entire Section 3 is a drastic anti-strike measure, denying to workers constitutional and fundamental rights to which the American Federation of Labor is vigorously opposed.

"There can be no question about these amendments violating that portion of the Constitution which prohibits involuntary servitude, so they affect not only labor but each and every person or group within the jurisdiction of the United States, aside entirely any consideration whatsoever for the specific interests of the labor movement and anticipating this proposal's effect upon the nation as a whole, is definitely the conclusion that if this violation of the Constitution is consummated our present form of government probably is ended and we are embarking upon a course leading directly toward those forms of government which all right thinking democratic persons condemn with all the vigor at their command.

"The proposals contained in the Connally Amendments and the amendments proposed by the House Military Affairs Committee are so far-reaching that they will have a vital effect upon every person residing under the jurisdiction of the United States.

"No question as important has been presented to Congress for many, many years. Its adoption will have a most disastrous effect. It seems inconceivable that any Member of Congress sympathetic with the legitimate aims and noble purposes of Labor would vote for this legislation."

New Gulf Stabilization Agreement Brings $16,000,000 Pay Increase

New Orleans, La.—Wage levels in Gulf Coast shipyards will be boosted $16,000,000 under an agreement negotiated here at a conference of representatives of labor, shipbuilding and the federal government.

A major role in the successful bargaining was taken by Assistant President Jasper N. Davis of the Brotherhood of Boilermakers, who headed the labor sub-committee which carried on the negotiations.

"Davis did an excellent job, and the agreement is finally worked out is something labor can be proud of," declared Joseph S. McDonagh, secretary-treasurer of the A. F. of L. Metal Trades Department, who also played a leading part in the conference.

Minimum rates for mechanics were raised to $1.07 an hour, as against the old minimum ranging between 93 and 97 cents. Common labor was increased to a minimum of 54 cents an hour, from former levels as low as 53 cents. Double rates for overtime were maintained on ship repair work, and increases in certain cases for large overhauling jobs.

Owners of the 25 yards in the Gulf area at first bitterly resisted the new scales, complaining that they would "play hob with our Southern standards," but they finally yielded.

The new wages are expected to increase the earnings of the Gulf shipyard workers by $16,000,000 a year, McDonagh declared.